

UNITED STATES OF AMERICA
UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

ANTHONY HEARD #381306,

Plaintiff,

Case No. 2:10-cv55

v.

Honorable R. Allan Edgar

UNKNOWN COMFORT, et al.,

Defendants.

MEMORANDUM OPINION

This is a civil rights action brought by a state prisoner pursuant to 42 U.S.C. § 1983. On March 18, 2010, the Court entered an order of deficiency (docket #2) because Plaintiff had failed to pay the civil action filing fee or to file the affidavit of financial status and prisoner account statement as required by 28 U.S.C. § 1915(a)(2) to apply to proceed *in forma pauperis*. The Court allowed thirty days for Plaintiff to comply. Plaintiff was warned that if he failed to comply, the Court would presume that he was not proceeding *in forma pauperis*, assess the entire filing fee, and dismiss his case for want of prosecution.

More than thirty days have elapsed. Plaintiff failed to pay the civil action filing fee or to submit the requisite documents to apply to proceed *in forma pauperis*. Because Plaintiff has wholly failed to comply with the Court's order, the Court will issue a judgment dismissing the case without prejudice for lack of prosecution.

Dated: 5/11/2010

/s/ R. Allan Edgar
R. Allan Edgar
United States District Judge